

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

KERRY O'SHEA; on behalf of herself and all
others similarly situated;

JAMES WALDRON, on behalf of himself and
all others similarly situated;

TIMOTHY POWERS, on behalf of himself
and all others similarly situated,

Plaintiffs,

v.

CAMPBELL SOUP COMPANY and
AMERICAN HEART ASSOCIATION, INC.,

Defendants.

Consolidated Civil Action No.:
1:13-cv-04887-RMB-KMW

**NOTICE OF MOTION OF DEFENDANT
AMERICAN HEART ASSOCIATION,
INC. TO DISMISS ALL COUNTS IN THE
CONSOLIDATED ACTIONS AGAINST IT
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

TO: Clerk, United States District Court
District of New Jersey – Camden Vicinage
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, NJ 08101

All Counsel of Record on ECF Service List

PLEASE TAKE NOTICE that on May 19, 2014 at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned counsel for Defendant American Heart Association, Inc. (“AHA”) shall move before the Honorable Renee M. Bumb, U.S.D.J., at the United States Courthouse located at 4th and Cooper Streets in Camden, New Jersey for an Order in the above captioned consolidated actions dismissing all Counts against AHA with prejudice pursuant to Fed. R. Civ. P 12(b)(6).

PLEASE TAKE FURTHER NOTICE that AHA shall rely on the accompanying Memorandum in Support of the American Heart Association's Motion to Dismiss. Oral argument is requested. A proposed form of Order is submitted herewith.

Respectfully submitted,

s/ Michael J. Vassalotti

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*Attorneys for Defendant American Heart
Association, Inc.*

Dated: January 31, 2014